

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**JERRY KITTRELL**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 3:04cv372 HTW-LRA**

**COMMUNITY ELDERCARE SERVICES, LLC, et al.**

**DEFENDANT**

**AGREED ORDER OF DISMISSAL**

This day this cause having come before the Court on the *ore tenus* motion of the aforementioned parties with the Plaintiff, Jerry Kittrell, and the sole remaining Defendant, Community Eldercare Services, LLC, each appearing by and through their respective counsel of record, whose signatures are affixed below in the acknowledgment and approval hereof, and upon call of the action, the parties through their counsel thereupon move the Court for the adoption of this Agreed Order of Dismissal of this action. It is, therefore,

ORDERED AND ADJUDGED that the Complaint of the Plaintiff is hereby dismissed, with each party to bear its respective costs of this action.

SO ORDERED AND ADJUDGED, on this, the 30th day of April, 2007.

s/ HENRY T. WINGATE

CHIEF UNITED STATES DISTRICT JUDGE

AGREED AND APPROVED:

s/Glen K. Till, Jr.  
Glen K. Till, Jr. (MSB #9047)  
Counsel for Jerry Kittrell

s/Jeffrey D. Leathers  
Jeffrey D. Leathers (MSB #100082)  
Counsel for Community Eldercare Services, LLC